

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RILEY FRANZ, and JEFFREY FRANZ
and BRANDI FRANZ, as NEXT FRIEND
for ISABELLA FRANZ, a Minor,

Plaintiffs,

v

Hon. Mark A. Goldsmith
Magistrate Anthony P. Patti
No. 21-12871

OXFORD COMMUNITY SCHOOLS,
TIMOTHY THRONE, STEVEN WOLF,
NICHOLAS EJAK, SHAWN HOPKINS,
PAMELA FINE, JACQUELYN KUBINA,
ALLISON KARPINSKI and BECKY MORGAN,

Defendants.

Geoffrey N. Fieger (P30441)
James J. Harrington (P65351)
Robert G. Kamenec (P35283)
Nora Y. Hanna (P80067)
Milica Filipovic (P80189)
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AMENDED NOTICE OF NON-PARTY FAULT

Defendants, OXFORD COMMUNITY SCHOOLS, TIMOTHY THRONE, STEVEN WOLF, NICHOLAS EJAK, SHAWN HOPKINS, PAMELA FINE, JACQUELYN KUBINA, ALLISON KARPINSKI and BECKY MORGAN, by and through their attorneys, GIARMARCO, MULLINS & HORTON, P.C., hereby file this Amended Notice of Non-Party Fault pursuant to MCR 2.112(K) as to the following non-parties:

1. Ethan Crumbley
2. Jennifer Crumbley
3. James Crumbley

The three non-parties above reside in the Oakland County Jail. As to Ethan Crumbley, his criminal actions of surreptitiously bringing a gun to Oxford High School on November 30, 2021 and engaging in an assaultive homicidal rampage with the firearm was the one most immediate, efficient, and direct proximate cause of Plaintiff's injuries. He is being criminally prosecuted for his criminal actions.

Additionally, James and Jennifer Crumbley are an immediate proximate cause of Plaintiff's injury. They purchased the gun for their son, taught him how to load and fire the gun, and took him to a shooting range where he was taught how to use the gun and practice firing it. James and Jennifer Crumbley further allowed Ethan Crumbley to have access to the gun on November 30, 2021 to carry out his criminal acts. James and Jennifer are being criminally prosecuted as a result of their involvement in the November 30, 2021 tragedy.

The Oakland County Circuit Court has entered a default against all three named non-parties, thereby establishing their liability for having proximately caused the injuries complained of.

/s/TIMOTHY J. MULLINS

GIARMARCO, MULLINS & HORTON, PC

Attorney for Defendants

DATED: September 12, 2022

CERTIFICATE OF ELECTRONIC SERVICE

TIMOTHY J. MULLINS states that on September 12, 2022, he did serve a copy of the **Amended Notice of Non-Party Fault** via the United States District Court electronic transmission.

/s/TIMOTHY J. MULLINS

GIARMARCO, MULLINS & HORTON, PC

Attorney for Defendants

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